

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 4, 2005]²

Bill No. and sponsor: H.R. 2402 (Mr. Phil English of Pennsylvania)

Proponent name, location: Bayer MaterialScience LLC, Pittsburgh, PA .

Other bills on product (109th Congress only): S. 1451.

Nature of bill: Temporary duty suspension through 12/31/2008.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Poly(toluene diisocyanate) (CAS No. 26006-20-2) dissolved in organic solvents (provided for in subheading 3911.90.45)

Check one: ☐ Same as that in bill as introduced.
 ☒ Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject product is an aromatic polyisocyanate based on toluene diisocyanate (TDI) dissolved in n-butyl acetate or other organic solvents. It is used in the formulation of fast drying two-component clear and pigmented polyurethane coatings for wood, metal, and paper substrates. The product is imported from Germany.

¹ Industry analyst preparing report: Ray Cantrell (202-205-3362); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

| HTS subheading: <u>3911.90.45</u> | | | | | |
|--|-------------|-------------|-------------|-------------|-------------|
| | 2005 | 2006 | 2007 | 2008 | 2009 |
| Col. 1-General rate of duty | 5.8% | 5.8% | 5.8% | 5.8% | 5.8% |
| Estimated value <i>dutiable</i> imports | \$1,100,000 | \$1,100,000 | \$1,100,000 | \$1,200,000 | \$1,200,000 |
| Customs revenue loss | \$63,800 | \$63,800 | \$63,800 | \$69,600 | \$69,600 |

Source of estimated dutiable import data: Commission and industry estimates.

Contacts with domestic firms/organizations (including the proponent):

| Name of firm/organization | Date contacted | US production of same or competitive product claimed? | Submission attached? | Opposition noted? |
|---|----------------|---|----------------------|-------------------|
| | | (Yes/No) | | |
| Bayer MaterialScience LLC (Proponent) Ms. Karen L. Niedermeyer, 412-777-2058 Ms. Julie Van Egmond, 202-756-3773 | 9/09/2005 | No | No | No |
| Dow Chemical Company Ms. Jan Neuenfeldt, 989-636-8427 Ms. Lisa Schroeter, 202-429-3400 | 9/10/2005 | No | No | No |
| DuPont Ms. Elaine M. Olsen, 302-992-2263 | 9/09/2005 | No | No | No |
| LANXESS Corporation Ms. Jamie B. Schaeffer, 412-809-3666 | 9/09/2005 | No | No | No |
| Lyondell Chemical Company Mr. Ted Gormanos, 713-309-2349 | 9/10/2005 | No | No | No |

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide a more exact chemical description of the product.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 2402

To suspend temporarily the duty on Desmodur IL.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2005

Mr. ENGLISH of Pennsylvania introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on Desmodur IL.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DESMODUR IL.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

| | | | | | | | |
|---|------------|--|------|-----------|-----------|-------------------------|----|
| “ | 9902.09.03 | A specific toluene diisocyanate homopolymer (CAS No. 26006–20–2) dissolved in organic solvents (provided for in subheading 3911.90.45) | Free | No change | No change | On or before 12/31/2008 | ”. |
|---|------------|--|------|-----------|-----------|-------------------------|----|

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of enactment of this Act.

